

NOTICE TO REQUESTER

(Use multiple forms if necessary)

TO: Shawn Musgrave
c/o Muckrock
P.O. Box 55819, Boston, MA 02205-5819

FROM: Honolulu Police Department
Attn: Michelle Yu
801 South Beretania Street, Honolulu, Hawaii 96813

DATE REQUEST RECEIVED: March 13, 2013
DATE OF THIS NOTICE: March 19, 2013

GOVERNMENT RECORDS YOU REQUESTED (attach copy of request or provide brief description below):

1. See attached

NOTICE IS PROVIDED TO YOU THAT YOUR REQUEST:

☐ Will be granted in its entirety.

☒ Cannot be granted because

- ☐ Agency does not maintain the records. Agency believed to maintain records: _____
- ☐ Agency needs a further description or clarification of the records requested. Please contact the agency and provide the following information: _____
- ☐ Request requires agency to create a summary or compilation from records not readily retrievable.
- ☒ None of the requested government records exist.

NOTE: HPD does not use "drones".

☐ Is denied in its entirety ☐ Will be granted only as to certain parts
based upon the following exemption provided in HRS § 92F-13 and/or § 92F-22 and other laws cited below
(portions of records that agency will not disclose should be described in general terms).

RECORDS OR
INFORMATION WITHHELD

APPLICABLE
STATUTES

AGENCY
JUSTIFICATION

REQUESTER'S RESPONSIBILITIES:

You are required to (1) pay any lawful fees assessed; (2) make any necessary arrangements with the agency to inspect, copy or receive copies as instructed below; and (3) provide the agency any additional information requested. If you do not comply with the requirements set forth in this notice within 20 business days after the postmark date of this notice or the date the agency makes the records available, you will be presumed to have abandoned your request and the agency shall have no further duty to process your request. Once the agency begins to process your request, you may be liable for any fees incurred. If you wish to cancel or modify your request, you must advise the agency upon receipt of this notice.

METHOD & TIMING OF DISCLOSURE:

Records available for public access in their entireties must be disclosed within a reasonable time, not to exceed 10 business days, or after receipt of any prepayment required. Records not available in their entireties must be disclosed within 5 business days of this notice or after receipt of any prepayment required. If incremental disclosure is authorized by HAR § 2-71-15, the first increment must be disclosed within 5 business days of this notice or after receipt of any prepayment required.

Method of Disclosure:

☐ Inspection at the following location: _____.

☐ As requested, a copy of the record(s) will be provided in the following manner:

☐ Available for pick-up at the following location: _____.

☐ Will be mailed to you.

☐ Will be transmitted to you by other means requested: _____.

Timing of Disclosure: All records, or first increment where applicable, will be made available or provided to you:

☐ On _____.

☐ After prepayment of fees and costs of \$ _____ (50% of fees +100% of costs, as estimated below).

Payment may be made by cash or: ☐ personal check ☐ other _____.

For incremental disclosures, each subsequent increment will be disclosed within 20 business days after:

☐ The prior increment (if one prepayment of fees is required and received).

☐ Receipt of each incremental prepayment required.

Disclosure is being made in increments because the records are voluminous and the following extenuating circumstances exist:

☐ Agency must consult with another person to determine whether the record is exempt from disclosure under HRS chapter 92F.

☐ Request requires extensive agency efforts to search, review, or segregate the records or otherwise prepare the records for inspection or copying.

☐ Agency requires additional time to respond to the request in order to avoid an unreasonable interference with its other statutory duties and functions.

☐ A natural disaster or other situation beyond agency's control prevents agency from responding to the request within 10 business days.

ESTIMATED FEES & COSTS:

The agency is authorized to charge you certain fees and costs to process your request (even if no record is subsequently found to exist), but must waive the first \$30 in fees assessed for general requesters and the first \$60 in fees when the agency finds that the request made is in the public interest. See HAR §§ 2-71-19, -31 and -32. The agency may require prepayment of 50% of the total estimated fees and 100% of the total estimated costs prior to processing your request. The following is the estimate of the fees and costs that the agency will charge you, with the applicable waiver amount deducted:

Fees: Search	Estimate of time to be spent: _____ (\$2.50 for each 15-minute period)	\$ _____
Review & segregation	Estimate of time to be spent: _____ (\$5.00 for each 15-minute period)	\$ _____
Fees waived	<input type="checkbox"/> general (\$30) <input type="checkbox"/> public interest (\$60)	<\$ _____>
Other	_____ (Pursuant to HAR § 2-7-31(B))	\$ _____

Total Estimated Fees: \$ _____

Costs: Copying Estimate of # of pages to be copied: _____ \$ _____

(@ \$ _____ per page.)

Total Estimated Costs: \$ _____

For questions about this notice, please contact the person named above. Questions regarding compliance with the UIPA may be directed to the Office of Information Practices at 808-586-1400 or oip@hawaii.gov.

Honolulu Police Department
801 South Beretania Street
Honolulu, HI 96813

March 7, 2013

To Whom It May Concern:

Pursuant to Hawaii's Uniform Information Practices Code, I hereby request the following records:

1. any requests for proposals, proposals submitted by vendors, contracts, budgets or cost allocations for the purchase, research of and/or use of aerial drones, UAs, UAVs, and UASs (hereinafter "drones");
2. any policies, guidelines, manuals and/or instructions on institutional use of drones, including on the legal process required (such as a warrant or court order), if any, before operating a drone;
3. any departmental records concerning this institution's use of and/or research of drones now or plans to use drones in the future including:
 - a. the types of investigations or instances in which this department is using or plans to use drones, or how it plans to support, manage or oversee the usage of drones by another department or office;
 - b. policies, guidelines, manuals and/or instructions on storage requirements or procedures for video or static images obtained through use of drones, including retention times;
 - c. the altitude at which drones can or do fly;
 - d. drones' ability to carry weapons.

I also request that, if appropriate, fees be waived as I believe this request is in the public interest. The requested documents will be made available to the general public free of charge as part of the public information service at MuckRock.com, processed by a representative of the news

media/press and is made in the process of news gathering and not for commercial usage.

In the event that fees cannot be waived, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 10 business days, as the statute requires.

Sincerely,

Shawn Musgrave

A handwritten signature in cursive script, appearing to read "Shawn Musgrave". The signature is fluid and stylized, with a long horizontal flourish extending to the right.